

Exhibit B

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MILTON H. FRIED, JR.,
for himself and all others similarly situated

Plaintiffs,

v.

SENSIA SALON, INC.,
a Texas Corporation

Defendant.

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C.A. No. 4:13-CV-00312

**DECLARATION OF HARVEY SCHOLL AS CORPORATE REPRESENTATIVE OF
AIR2WEB, INC.**

I, Harvey Scholl, am over eighteen years of age and hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the Chief Technology Officer of Air2Web, Inc. ("Air2Web"). I have personal knowledge of the facts set forth herein or, where I lacked personal knowledge, I have verified the information, in my capacity as a corporate representative of the company, based on the records and books of the company and the knowledge of its other past and present employees.

2. Air2Web is a mobile messaging aggregator. Air2Web acts as a conduit in the chain of transmission of short message service ("SMS") messages between content providers ("Content Providers") and subscribers ("Subscribers") of mobile telephony services offered by mobile telecommunication carriers ("Carriers"). Air2Web's customers or customers of Air2Web's customers (including through multiple tiers) are Content Providers. Air2Web is not a Content Provider. Content Providers originate the content ("Content") contained in the SMS

messages and transmit the Content to Air2Web (either directly or indirectly through multiple tiers). Air2Web transmits the Content to Carriers including indirectly via other mobile messaging aggregators. The Carriers transmit the Content to their Subscribers.

3. Air2Web's system operates as follows:

a. For any SMS message terminating at a mobile device, Air2Web's customers input the following information into Air2Web's system via interaction with Air2Web's application programming interface ("API") or web-based user interface ("UI"): (i) a sender ID (*e.g.*, a message routing code ("Short Code") leased from the Common Short Code Authority ("CSCA")); (ii) a message body (*i.e.*, the Content); (iii) a Mobile Station International Subscriber Directory Number ("MSISDN") (*i.e.*, the mobile number associated with the mobile device to which Air2Web's customer is directing the Content). Air2Web's customer defines each of the applicable Short Code, the Content and the MSISDN (collectively the "Message Request") with respect to each mobile terminated SMS message.

b. Air2Web's system formats the Message Request as received from Air2Web's customer into the Short Message Peer-to-Peer ("SMPP") standard protocol required by the Carriers in order to transmit the Message Request to the Carriers. Air2Web's system then transmits the formatted Message Request as a submit_sm protocol data unit ("PDU") to the short message service center ("SMSC") of the appropriate Carrier (including indirectly via other mobile messaging aggregators) which processes the PDU within its systems for subsequent transmission to its Subscriber. Air2Web's system does not "dial" the MSISDN associated with the Message Request to establish a connection to the SMSC in order for Air2Web's system to transmit the remainder of the Message Request.

c. Air2Web's system does not determine any part of the Message Request. Specifically, Air2Web's system does not determine the Content and does not generate (randomly or sequentially) the MSISDN to which the Content is transmitted. Further, Air2Web's system transmits Content only as directed by Air2Web's customers based on the specific MSISDNs provided by Air2Web's customers for the respective Content.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of June, 2013.


Harvey Scholl, CTO of Air2Web, Inc.

Exhibit C

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MILTON H. FRIED, JR., and
RICHARD EVANS, for themselves
all others similarly situated,

Plaintiffs,

v.

SENSIA SALON, INC.,
a Texas corporation,

Defendant.

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CIVIL ACTION NO. 4:13-cv-00312

**DECLARATION OF WAIS ASEFI AS CORPORATE REPRESENTATIVE OF
TEXTMUNICATION, INC.**

I, Wais Asefi, am over eighteen years of age and hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the Chief Executive Officer and Chairman of Textmunication, Inc. ("Textmunication"). I have personal knowledge of the facts set forth herein or, where I lacked the personal knowledge, I have verified the information, in my capacity as a corporate representative of the company, based on the records and books of the company and the knowledge of its other past and present employees.


2. Textmunication is in the business of providing mobile marketing services to our customers. Sensia Salon, Inc. is, and has been for more than the previous one and one half years, a customer of Textmunication.

3. When a customer wishes to send out a text message, it logs into the Textmunication Platform to input the content of the text message(s). Textmunication then sends the message(s) to an SMS gateway aggregator who will then transmit the message(s) directly to the carrier.

4. I have reviewed the text messages at issue in this lawsuit, specifically text messages sent to the telephone numbers associated with the named plaintiffs Milton H. Fried, Jr. and Richard Evans. These messages were transmitted by Textmunication to Velti, Inc.; Velti, Inc. was the SMS gateway aggregator used to send these text messages. It is my understanding that Velti, Inc. utilized its affiliate, Air2Web, Inc. to send the messages transmitted by Textmunication.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 28th day of June.


Wais Asefi